

NOTICE OF FORECLOSURE SALE

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OR ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Properties to Be Sold. The properties to be sold are described as follows:

TRACT ONE:

Being a 2.97 acre tract of land located in the Wm. Hart Survey, A-342 and being situated approximately N 10 deg. E – 9.0 miles from the City of Canton, Van Zandt County, Texas. Said 2.97 acre tract of land being a portion of a tract of land as described in a Deed of Trust from J. Herman Parker, et ux, to W. H. Pickens, dated November 3, 1947 and being duly recorded in Volume 66, Page 556 of the Deed Records of Van Zandt County, Texas. Said 2.97 acre tract of land being more particularly described as follows:

BEGINNING at a stake set in the South right-of-way of U.S. Hwy No. 80, 75.0 feet perpendicular distance from the engineers centerline and being approximately S 45 deg. 00' E – 5300.0 feet and N 45 deg 00' E – 2900.0 feet from the Northwest corner of the said Hart Survey. Said stake being set for the Northwest corner of this tract of land.

THENCE S 75 deg. 52' E, along and with the South right-of-way of said Hwy, in all a total distance of 313.05 feet to a stake set for the Northeast corner of this tract of land;

THENCE S 14 deg. 08' W, in all a total distance of 313.05 feet to a stake set for the Southeast corner of this tract of land;

THENCE N 75 deg. 52' W, in all a total distance of 514.41 feet to a stake in the North line of the said Parker tract, for the Southwest corner of this tract of land;

THENCE N 46 deg. 53' E, along and with the said Parker North line, in all a total distance of 372.22 feet to the place of beginning, containing 2.97 acres of land.

LESS AND EXCEPT:

BEING a 0.348 acre tract of land situated in the Wm Hart Survey, Abstract No. 342, Van Zandt County, Texas, and being part of a called 2.97 acre tract described in a deed to J & L Utility Company recorded in Volume 903, Page 689, Deed Records, Van Zandt County, Texas, said tract being more particularly described as follows:

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11:21 AM
CANTON, TEXAS

BEGINNING at a ½ inch iron rod found for the corner at the northwesterly corner of called 2.97 acre tract, same being the northeasterly corner of a called 1.66 acre tract of land described in a deed to Mary Bell Robertson recorded in Volume 1432, Page 180, Real Records, Van Zandt County, Texas said point also being in the southerly line of U.S. Highway No. 80 (150' right-of-way);

THENCE South 75 deg. 52' 00" East a distance of 50.57 feet along the southerly line of said U.S. Highway No. 80 and the northerly line of called 2.97 acre tract to a chain link fence post found for corner;

THENCE South 17 deg. 53' 13" West, a distance of 155.31 feet along a chain link fence line to a chain link fence post found for corner;

THENCE North 78 deg. 12' 18" West, a distance of 172.31 feet along a chain link fence line to a chain link fence post found for corner, said point being in the northwesterly line of called 2.97 acre tract, and the southeasterly line of called 1.66 acre tract;

THENCE North 46 deg. 54' 14" East, a distance of 213.38 feet along the northwesterly line of called 2.97 acre tract to the Point of Beginning and containing a computed area of 0.348 acres or 15,190 square feet of land.

TRACT TWO:

All that certain 18.09 Acre tract of land situated in the W. Hart Survey, A-342, of Van Zandt County, Texas and being a part of the "First Tract" described in deed to J. Herman Parker as recorded in Volume 367, Page 383 of the Van Zandt County Deed Records, said tract being further described as follows:

BEGINNING at a corner in a public road on the Southwest line of said "First Tract" and on the Southwest line of said Hart Survey and being N 45 W 680.83 feet from the South corner of said "First Tract", from which a 3/8" iron rod reference marker was set to bear N 69 deg. 29' 49" E 25 feet;

THENCE N 45' W along said road and Southwest line 688.33 feet to the South corner of a 4.1 acre tract described in a deed to A. F. Bunch as recorded in Volume 404, Page 428 of the Van Zandt County Deed Records, from said corner a fence corner was found to bear N 45 deg. 13' 41" E 20 feet;

THENCE N 45 deg. 13' 41" E along the Southeast line of said 4.1 acre tract 476.80 feet to a fence corner found at the West corner of a 2.97 acre tract described in Deed to Thompson and Lambert as recorded in Volume 803, Page 320 of Van Zandt County Deed Records;

THENCE S 77 deg. 39' 20" E along the fenced Southwest line of said 2.97 acre tract and along the Southwest line of a called 4.67 acre tract described in Volume 704, Page 242, a distance of 1163.03 feet to a 1" flat iron found at a fence corner;

THENCE N 12 deg. 45' 28" E along the Southeast line of said 4.67 acre tract, 133.76 feet to a fence corner;

THENCE S 67 deg. 19' 25" E along a fence 443.31 feet to a 3/8" iron rod set for a corner;

THENCE S 69 deg. 29' 49" W 1522.95 feet to the point of beginning and containing 18.09 acres of land.

Being the same land in a Warranty Deed dated March 19, 1990 from Clara Parker Wright, Wanda Jean Castleberry Stoner and Jerry Nell Wobler Gibson to Charlotte Ann Wheeler, recorded in Volume 1198, Page 372, Real Records of Van Zandt County, Texas.

LESS AND EXCEPT THE FOLLOWING TRACT:

All that certain lot, tract, or parcel of land situated in the Wm. Hart Survey, A-342, Van Zandt County, Texas, same being part of a called 18.09 acre tract as found in Warranty Deed dated March 19, 1990 from Clara Parker Wright, et al, to Charlotte Ann Wheeler as found recorded in Vol. 1198, Page 372 of the Real Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at 1/2" iron rod found within the right-of-way of County Road 3117, in the recognized Southwest line of said Hart Survey, and in the Southwest line of said 18.09 acre tract for the West corner of this, same being South 45 deg. 00 min., 00sec., East 254.32 feet from the West corner of said 18.09 acre tract;

THENCE North 39 deg. 30 min., 36 sec., East 214.55 feet to a 1/2" iron rod set for the north corner of this;

THENCE South 63 deg. 45 min. 00 sec. East 113.11 feet to a 1/2" iron rod set for a corner of this;

THENCE South 06 deg. 50 min. 19 sec. West 102.95 feet to a 1/2" iron rod set for a corner of this;

THENCE South 34 deg. 22 min. 51 sec. West 10.40 feet to a 1/2" iron rod set for a corner of this;

THENCE South 81 deg. 41 min. 33 sec. West 54.71 feet to a 1/2" iron rod set for a corner of this;

THENCE South 31 deg. 32 min. 12 sec. West 118.13 feet to a 1/2" iron rod set within the right-of-way of County Road 3117, in the recognized Southwest line of said Hart Survey, and in the Southwest line of said 18.09 acre tract for the South corner of this;

THENCE North 45 deg. 00 min. 00 sec. West 146.93 feet with a line which runs within County Road 3117, and with the recognized Southwest line of said Hart Survey, and with the Southwest line of said 18.09 acre tract to the place of beginning, containing 0.77 of an acre of land.

Instruments to be Foreclosed. The instruments to be foreclosed consist of two Deeds of Trust, the first of which is that certain Deed of Trust dated November 19, 2010 and recorded in Document 2010-009564, real property records of Van Zandt County, Texas and the second is that certain Deed of Trust dated November 19, 2010 and recorded in Document 2010-009565, real property records of Van Zandt County, Texas.

Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: August 4, 2020

Time: 10:00 AM to 4 PM, local time; the earliest time at which the Foreclosure Sale will begin is 10:00 AM and not later than three hours thereafter.

Place: Van Zandt County Courthouse, Texas 121 East Dallas Street, Canton, Texas 75103 (North Entrance of the Van Zandt County Courthouse)

Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the above referenced deeds of trust, the mortgagee has the right to direct the Trustee to sell the properties in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the properties will be sold in AS IS, WHERE IS condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the deeds of trust.

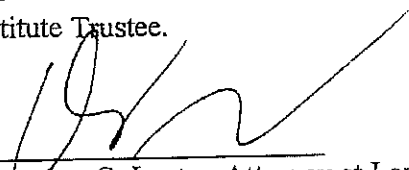
Obligations Secured. The Deed of Trust recorded as Document 2010-009564, executed by Nancy L. Boyd on behalf of J & L Utility Service Company, provides that it secures the payment of the indebtedness in the original principal amount of \$698,200, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. L & L Line Services, LLC is the current owner and holder in due course of this note and deed of trust. The Deed of Trust recorded as Document 2010-009565, executed by Nancy L. Boyd, on behalf of J & L Utility Service Company, provides that it secures the payment of the indebtedness in the original amount of \$250,000, and obligations therein described, including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. L & L Line Services, LLC is the current owner and holder in due course of this note and deed of trust.

Default has occurred in the payment of the Notes and in the performance of the obligations of the Deeds of Trust. Because of that default, L & L Line Services, LLC, the owner and holder of the Notes and Deeds of Trust, has requested the Substitute Trustees to sell the Properties.

Substitute Trustee(s) Appointed to Conduct Sale. In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the owner and holder of the Notes and Deeds of Trust does name and appoint CHRISTOPHER G. LYSTER, BRIAN BURKHARDT AND/OR RICHARD MCCONATHY as Substitute Trustee to act under and by virtue of said Deeds of Trust. THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE OWNER AND HOLDER OF THE NOTES AND DEEDS OF TRUST REFERENCED HEREIN.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deeds of Trust, but prospective bidders are reminded that by law, the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Properties, if any, to the extent that they remain in force and effect and have not been subordinated to the Deeds of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Properties that may have been released of public record from the lien and/or security interest in the Deeds of Trust by and any owner and/or holder of the Notes and/or Deeds of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.



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